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6
7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF ARIZONA**

9 IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

**MASTER SHORT FORM COMPLAINT
FOR DAMAGES FOR INDIVIDUAL
CLAIMS AND JURY DEMAND**

10 *Kari Rae Wickstrom and David
Wickstrom,*

11 Plaintiffs,

12 v.

13 *C.R. Bard, Inc., and Bard Peripheral
14 Vascular, Inc.,*

15 Defendants

16 Plaintiff(s) named below, for their Complaint against Defendants named below,
17 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

18 Plaintiff(s) further show the Court as follows:

19 1. Plaintiff/Deceased Party:

20 Kari Rae Wickstrom

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

David Wickstrom

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

N/A

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

Minnesota

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

Minnesota

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

Minnesota

7. District Court and Division in which venue would be proper absent direct filing:

District of Minnesota

8. Defendants (check Defendants against whom Complaint is made):

☒ C.R. Bard Inc.

☒ Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

☒ Diversity of Citizenship

☐ Other: _____

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

☐ Recovery[®] Vena Cava Filter

☒ G2[®] Vena Cava Filter

☐ G2[®] Express (G2[®]X) Vena Cava Filter

☐ Eclipse[®] Vena Cava Filter

☐ Meridian[®] Vena Cava Filter

☐ Denali[®] Vena Cava Filter

☐ Other: _____

11. Date of Implantation as to each product:

April 18, 2010

12. Counts in the Master Complaint brought by Plaintiff(s):

☐ Count I: Strict Products Liability – Manufacturing Defect

☐ Count II: Strict Products Liability – Information Defect (Failure to Warn)

☐ Count III: Strict Products Liability – Design Defect

☒ Count IV: Negligence - Design

- ☒ Count V: Negligence - Manufacture
- ☒ Count VI: Negligence – Failure to Recall/Retrofit
- ☒ Count VII: Negligence – Failure to Warn
- ☒ Count VIII: Negligent Misrepresentation
- ☐ Count IX: Negligence *Per Se*
- ☐ Count X: Breach of Express Warranty
- ☐ Count XI: Breach of Implied Warranty
- ☒ Count XII: Fraudulent Misrepresentation
- ☒ Count XIII: Fraudulent Concealment
- ☒ Count XIV: Violations of Applicable Minnesota Law Prohibiting
Consumer Fraud and Unfair and Deceptive Trade Practices
- ☒ Count XV: Loss of Consortium
- ☐ Count XVI: Wrongful Death
- ☐ Count XVII: Survival
- ☐ Punitive Damages
- ☐ Other(s): _____ (please state the facts supporting
this Count in the space immediately below)

1 Plaintiff requests trial by jury.

2 RESPECTFULLY SUBMITTED this 13th day of April, 2016.

3 JOHNSON BECKER, PLLC

4 By /s/ Michael K. Johnson

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9 *Attorneys for Plaintiffs*

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15 CERTIFICATE OF SERVICE

16 I hereby certify that on this 13th day of April, 2016, I electronically transmitted the
17 attached document to the Clerk's Office using the CM/ECF System for filing and transmittal
18 of a Notice of Electronic Filing.

19 /s/Michael K. Johnson